

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

F I L E D  
JUN - 6 2012

CLERK'S OFFICE  
U.S. DISTRICT COURT  
ANN ARBOR, MI

KEVIN A. GARY,

Plaintiff,

v.

DISCOVERY COMMUNICATION, INC.,

Defendant.

Case No. 12-10521

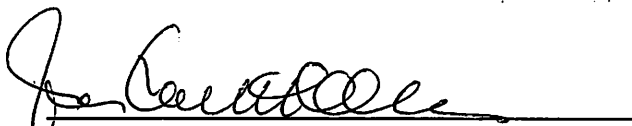
Honorable John Corbett O'Meara

**ORDER DENYING APPLICATION FOR APPOINTMENT OF COUNSEL**

Plaintiff Kevin A. Gary filed an Application for Appointment of Counsel in this matter. In his *pro se* complaint, Plaintiff alleges a claim for libel against Defendant.

The appointment of counsel in a civil case is a privilege and not a constitutional right, one that should be allowed only in exceptional cases. Lopez v. Reyes, 692 F.2d 15, 17 (5<sup>th</sup> Cir. 1982). The United States Court of Appeals for the Sixth Circuit has advised that district courts, in considering an application for appointment of counsel in civil cases, "should at least consider plaintiff's financial resources, the efforts of plaintiff to obtain counsel, and whether plaintiff's claim appears to have any merit." Henry v. City of Detroit Manpower Dep't., 763 F.2d 757, 760 (6<sup>th</sup> Cir. 1985). In reviewing Plaintiff's application, the court finds no exceptional circumstances for the appointment of counsel.

Accordingly, it is hereby **ORDERED** that Plaintiff's Application for Appointment of Counsel is **DENIED**.

  
John Corbett O'Meara  
United States District Judge